

BEFORE THE
FEDERAL HIGHWAY ADMINISTRATION
UNITED STATES DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Advance Notice of Proposed Rulemaking)	Docket No. FHWA-20001-11130
Work Zone Safety)	
)	

COMMENTS OF THE AMERICAN GAS ASSOCIATION
ON THE
ADVANCED NOTICE OF
PROPOSED RULEMAKING ON WORK ZONE SAFETY

The American Gas Association 187 investor owned utility companies that deliver natural gas to more than 52 million homes, businesses and industries throughout the United States. AGA member companies account for 83 percent of all natural gas delivered to homes and businesses in the United States.

AGA is an advocate for local natural gas utility companies and provides a broad range of programs and services for member natural gas pipelines, marketers, gatherers, international gas companies and industry associates. Natural gas meets one-fourth of the United States' energy needs and is the fastest growing major energy source. Since most utilities serve population centers, a large percentage of these pipelines are buried underneath public pavement represented by the streets and roads, and run along or cross major highways. When a pipeline needs work, safety considerations often dictate that a gas company must access the line for repair. This affects the roadway it may be under or adjacent to.

AGA appreciates the opportunity to submit comments on the advanced notice of proposed rulemaking for work zone safety, federal register notice, February 6, 2002, vol. 67 page 5532. Our interest in work zone safety is further enhanced because of an upcoming rule (backed by pipeline safety legislation) by the U.S. Department of Transportation, Office of Pipeline Safety. This rule will require periodic integrity assessments of pipelines located in "high consequence areas" which are typically populated areas. This will likely entail considerable work by many gas utilities within the public right-of-ways that will include streets and thoroughfares and may include highways. It is envisioned this rule will be implemented by gas companies starting in 2004.

Our specific comments to this Federal Highway Administration (FHWA) notice are as follows:

Question #1: *Should there be a National policy to promote improved mobility and safety in highway construction and maintenance? If so, should the National policy be incorporated into the regulation or issued separately as guidance, that outlines guidelines and best practices for implementation?*

Response: No. However, if a policy is promoted it should be in the form of guidance outlining best practices.

Question #2: *Are the current provisions of 23 CFR 630, subpart J adequate to meet the mobility and safety challenges of road construction and maintenance projects encountered at all stages of project evolution? If they are not adequate, what are the provisions and/or sections that need to be enhanced and/or modified to ensure mobility and safety in and around work zones?*

Response: No comment

Question #3: *Should work zone regulations be stratified to reflect varying levels and durations of risk to road users and workers, and disruptions to traffic? What would be the most appropriate stratification factors (e.g. duration, length, lanes affected, Average Daily Traffic [ADT], road classification, expected capacity reduction, potential impacts on local network and businesses)?*

Response: Stratification of the work zone would likely prove very cumbersome given all of the variables associated with individual work sites. The variety of individual work sites strongly suggests that guidance documents would work better than inflexible mandates. As for which of the listed factors would be appropriate, operators would consider the number of lanes affected, road classification, expected capacity reduction, and duration of the reduction.

Question #4: *Currently, there are several definitions for work zone, as defined by the MUTCD, ANSI D16 (proposed), NCUTLO and NHTSA. These definitions, even though similar in basic structure and implication, differ in length and the degree of detail addressed. Should there be a common National definition for work zone to bring about uniformity? If so, what should the common National definition be?*

Response: AGA sees no problem with developing a common definition. We do not have a common definition to offer.

Transportation Planning and Programming

Question #5: *How, if at all, are impacts to road users due to road construction and maintenance part of the management and operations considerations that are addressed in transportation plan development?*

Response: No Comment

Question #6: *To what extent should the metropolitan and statewide transportation planning processes address cross-cutting policy issues that may contribute to increases in project costs (for example, the use of more durable materials, life-cycle costing, complete closure of facilities, information sharing on utilities, etc.)? Is it appropriate to consider the impact of construction and maintenance projects to road users in planning for future roadway improvements at the metropolitan level? At the statewide level? At the corridor level?*

Response: No Comment

Question #7: *What data and methods are currently available to address the above considerations? What else would be needed to support such considerations in the metropolitan and statewide transportation planning processes? At the corridor level?*

Response: No Comment

Project Design for Construction and Maintenance

Question #8: *How can the FHWA encourage agencies to incorporate the above considerations (life-cycle cost analysis, alternative project scheduling and design strategies, etc.) in the decisionmaking process for evaluating alternative project designs? What are the most appropriate ways to include these considerations in project design?*

Response: AGA believes that companies managing road construction projects desire to incorporate the best engineering practices into their project design and implementation. This includes considerations for life-cycle cost analysis, alternative project scheduling and design strategies. Providing best practices guidance documents encourages the use of these considerations. The failure to use accepted best practices brings with it negative results.

Question #9: *Can user cost be a useful measure to assess alternative means to design and implement work zones? What weight should agencies assign to user costs as a decisionmaking factor in the alternative evaluation process? Should analytical tools,*

such as QuickZone, QUEWZ-98, etc., be used for the evaluation of various design alternatives and their estimated impact to the public? What other impact measures (delay, speed, travel time, crashes) should agencies estimate and use for alternatives evaluation?

Response: AGA does not see how user costs would be beneficial in assessing alternative means to design and implement work zones.

Question #10: *Given the fact that utility delays have been cited as roadblocks to efficient project delivery, what should be done to address this issue?*

Response: If utility delays have been cited once or infrequently as a roadblock to project delivery, it does not create the presumption that utility delay is a significant roadblock. The weather, project planning, and other factors may be much more significant to efficient project delivery. The question should be what are the most significant sources of project delay and what are best practices that can be used to minimize the impact?

Additionally, utilities are frequently asked to relocate pipeline or other underground facilities without reimbursement. All new highway designs should be prepared to avoid utility relocation to reduce costs and avoid delay. If relocation becomes necessary, clear communication regarding the project scope, schedule, and coordination is required from all stakeholders.

Managing for Mobility and Safety in and Around Work Zones

Question #11: *The current regulation specifies the requirement for TCPs for work zones, but does not address the issues of sustained traffic management and operations, or traffic enforcement methods and partnerships. Should the scope of TCPs be expanded to include such considerations? What are the most relevant practices or technologies that should be considered in planning for traffic management, enforcement and operations? What are the most appropriate ways to facilitate the inclusion of such considerations in traffic control planning?*

Response: No comment.

Question #12: *Should TCPs address the security aspects of construction of critical transportation infrastructure? Should TCPs address the security aspects of work zone activities in the vicinity of critical transportation or other critical infrastructure?*

Response: Yes; security aspects should be a consideration in the preparation of Traffic Control Plans (TCPs). To this end, some basic guidelines should be developed to properly bracket the associated security issues in any TCP that is prepared. Traffic control plans should address security issues in the event of an emergency. Additionally, this would also better serve the road user in the event of an unplanned incident.

Question #13: *How should TCPs address ADA requirements?*

Response: AGA supports the requirements of the Americans with Disabilities Act (ADA), but has no comments, as we would defer the implementation of standards to the project manager.

Question #14: *Should more flexibility be allowed on who develops TCPs – State DOTs, municipalities, contractors or law enforcement agencies – and how should the responsibility for developing TCPs be assigned? Should certification be required for TCP developers? How can the owners and contractors share the roles, risk and rewards in developing TCPs and implementing and operating work zones?*

Response: The local agency responsible for transportation should be responsible for determining who must develop the TCP and whether certification is required. Input should be sought from entities that will be impacted by the work zones.

Question #15: *To ensure roadway mobility and safety and work area safety, should mobility and safety audits be required for work zones?*

Response: Yes. Safety audits should be performed. The owner and contractor should be held responsible for complying with applicable safety regulations and TCP provisions.

Public Outreach and Communications

Question #16: *How can we better communicate the anticipated work zone impacts and the associated mitigation measures to the public? Who – the State, local government, contractor, or other agency – should be responsible for informing the public?*

Response: The public can be better informed of impacts of work zone operations by education programs. This can be accomplished by media outlets,

demonstrations, and other efforts. There should be a joint effort by the project owner and the regulatory authority having jurisdiction over the project.

Question #17: *Should projects with substantial disruption include a public communication plan in the project development process? If so, what should such a plan contain?*

Response: AGA is under the impression that most major projects already require a public hearing. Any approved project should have public communications as part of the implementation plan.

Analyzing Work Zone Performance

Question #18: *Should States and local transportation agencies report statistics on the characteristics of work zones (such as number of work zones, size, cost, duration, lanes affected, ADT, road classification, level of disruption and impacts on local network and businesses) to appropriate State or Federal agencies? If so, in what ways do you think this would be beneficial?*

Response: AGA suggests the FHWA review what is already reported^{ed} by states and local transportation authorities.

Question #19: *Should States and local transportation agencies report statistics on the mobility performance of work zones? Are typical mobility measures, such as delay, travel time, traffic volumes, speed and queue lengths appropriate to analyze work zone mobility performance? What are the top three measures that are most appropriate?*

Response: No comment

Question #20: *Are the currently used measures for safety (typically, crashes, fatalities and injuries) appropriate to analyze work zone performance? If not, what other measures should be considered? Are current mechanisms for collecting this information adequate? If not, how can we improve them?*

Response: No comment

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Respectfully submitted,
THE AMERICAN GAS ASSOCIATION

By: _____
Lori S. Traweek

For further information regarding the associations' position on the advanced notice of proposed rulemaking please contact:

Lori S. Traweek
Senior Vice President
Operations and Engineering Management
American Gas Association
400 North Capitol Street, NW
Washington, D.C. 20001
(202) 824-7330

Philip Bennett
Senior Counsel and Director
Operations Safety
American Gas Association
400 North Capitol Street, NW
Washington, D.C. 20001
(202) 824-7339